



Tourism and Local Self Governing Institutions (LSGI) in India



Why the need to focus on LSGIs


- o a top-down approach in development planning and implementation has not led to democratic control of local people over their own development
- o Increasing gap between regions, communities
- o The shortcomings of excessive reliance on social movements, NGOs and other groups



73rd & 74th amendment (1993) / Schedule 5& 6 (1996)

- Importance of a vibrant grassroots democracy
- Prior 1993, Directive Principles of State Policies (DPSP) for LSGI
- The big shift - Constitutional obligation for the formation of LSGI
- Proper Powers and Functions

- Schedule 5 - Tribal areas outside - Chattisgarh, Jharkhand, Orissa
- Schedule 6 - mainly NE



States	Type of Local Governance after 1993
Arunachal Pradesh	Ratified 73rd Constitutional Amendment
Assam	2) Post 73rd revised Act of 1994. 3 tier structure and Gaon Sabha., which is similar to most of the states Provision of Sixth Schedule in Tribal Areas
Manipur	Provision of Sixth Schedule in Tribal Areas
Meghalaya	Provision of Sixth Schedule in Tribal Areas
Mizoram	Provision of Sixth Schedule in Tribal Areas
Nagaland	Nagaland is outside the purview of 73rd Constitutional Amendment Act. It has been left to state government to work out a viable system of local self government. Currently Village Council and Village Development Boards have played pro active role in grass root governance
Sikkim	Ratified 73rd Amendment
Tripura	Provision of Sixth Schedule in Tribal Areas



Weaknesses of Panchayat Raj implementation

- There is no harmonisation among states in India in enacting the provisions of the constitutional amendments. States like Kerala and Bengal have reached a much higher level of devolution of powers.
- Probable shortcomings of working with PRIs – politicians, corruption, inadequate knowledge of international processes and development needs
- Awareness about their powers, functions is not high in among representatives and therefore the exercise is low



Why is panchayat involvement in a development process like tourism crucial?

- **Impact on communities**
- **Means of development**
- **Use of community and natural resources is high - need a regulatory mechanism at grassroots**

Overall Table on the Rights of Local Self Governing Institutions (LSGIs) and Tourism

Rights and powers of the LSGIs	Requirements/ Impacts of the Tourism	Remarks
Land improvement, implementation of land reforms.	Land to develop areas as destinations/ products	For acquisition of any land within the territorial area of a Panchayat/ municipality tourism industry needs its permission.
Regulation of land use and construction of buildings.	Requires land to build hotels, lodges, resorts, swimming pool, casinos, golf course etc.	Requires the permission of the Panchayats.
Acquiring land for development projects and rehabilitation and resettlement of persons affected as a result of any projects undertaken in Scheduled areas has to be done in consultation with either Gram Sabha or the Panchayat at the appropriate level. (thus the tribal people does not have to wait for the concerned authorities to act in the vital matter of land exploitation).Especially in Schedule V areas	Requires land to build hotels, lodges, resorts, swimming pool, casinos, golf course etc. and to carry out other projects related to tourism.. Tourism has grown in forest and protected areas and tourism is leading to displacement of people, Also impacts on livelihood etc.	Requires the permission of the Panchayats/ gram sabha/ municipalities as the case may be.
Planning and management of minor water bodies in Scheduled Areas.	For regular supply of water it depends on the rivers, ponds, lakes, streams.	Requires the permit of the Panchayats.

Overall Table on the Rights of Local Self Governing Institutions (LSGIs) and Tourism

Water supply for domestic, industrial and commercial purposes.	Requires water for various purposes related to the hotel industry. (bathing washing, drinking, swimming, cleaning etc.	Requires the permit of the Panchayats.
Planning for Social and economic development.	Requires proper health facilities, sanitation, garbage disposal system, regular water supply, fuel, drainage system, markets, fairs etc. Tourism also has impact on social and cultural fabric	Requires the permit of the Panchayats.
Solid waste management	Requires proper and safe garbage disposal system.	Expects the panchayats to provide.
Cultural Activities	Organizing festivals of local and indigenous deities, entertainment activities, circus, fairs, bullock rallies etc.	Expects the panchayats to provide.
Welfare of the weaker section and in particular Schedule Caste and Schedule Tribes.	Has impacts on marginalised sections.	Panchayats to regulate and control
Women and child development.	Has impacts on them to a greater extent.	Panchayats to regulate and control
Maintenance of community assets.	Roads, street lights and roadside trees and parks.	Panchayats to regulate and control

Powers and Functions of Autonomous District/ Regional Councils in Sixth Schedule Areas with respect to Tourism

Rights and powers of the District/ Regional Councils	Requirements/ Impacts of the Tourism	Remarks
District Councils can make laws relating to allotment, occupation or use, or the setting apart, of land, other than any land which is a reserved forest for the purposes of agriculture or grazing or for residential or other non-agricultural purposes or for any other purpose likely to promote the interests of the inhabitants of any village or town:	Tourism acquires land to develop areas as destinations/ products.	Land use other than reserved forest pattern will be governed by laws made by councils. This is different from powers given to local governance in rest of India
Regional Council and the District Council for an autonomous district have power to assess, levy and collect taxes on lands and buildings, and tolls.	Requires land to build hotels, lodges, resorts, swimming pool, casinos, golf course etc.	Councils have powers to collect taxes on professions, trades, callings and employments; on animals, vehicles and boats; on the entry of goods into a market for sale therein, and tolls on passengers and goods carried in ferries. Tourism falls within this spectrum.
Regulation/ making laws on any canal and water course	Requires water for the purposes related to the hotel industry.	Councils can regulate and decide over use of water resources. Agriculture water use is also their mandate.

Powers and Functions of Autonomous District/ Regional Councils in Sixth Schedule Areas with respect to Tourism

Planning and management of minor water bodies	For regular supply of water it depends on the rivers, ponds, lakes, streams.	.
Planning for Social and economic development.	Requires proper health facilities, sanitation, garbage disposal system, regular water supply, fuel, drainage system, markets, fairs etc. Tourism also has impact on social and cultural fabric	.
Management of any forest, (except for reserved forest)	opening the forests to tourists. Building resorts inside the forest. Providing Safari to have a close look at the animals. Bonfire etc.	Requires the permission of the Panchayats.
Licences or leases for the purpose of prospecting for, or extraction of, minerals.-	requires lime, granite, marbles, stones, blue metal for laying roads, stone slabs for construction, sand etc.	Requires the permission of Councils.
The District Council t may make regulations for the regulation and control of money-lending or trading within the district by persons other than Scheduled Tribes resident in the district.	Livelihoods of local communities are affected. Benefits do not reach to local communities	Councils are empowered to regulate economic impacts of tourism.

Powers and Functions of Autonomous District/ Regional Councils in Sixth Schedule Areas with respect to Tourism

Preserving social customs and culture	Organizing festivals of local and indigenous deities, entertainment activities, circus, fairs, bullock rallies etc.	Councils are empowered to make laws with regard to preservation
Market and fairs.	Tourism is based on local handicraft. In recent years focus is more on rural tourism	
the establishment of village or town committees or councils and their powers District Councils have been given powers to establish local governance in village and town areas		Most important role. District council has powers to define the kind of local governance needed in any area. Councils have powers to make law on any other matter relating to village or town administration, including village or town police and public health and sanitation; ,the appointment or succession of Chiefs or Headmen and the inheritance of property;